IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.144 OF 2004

Sukha Punja Konwaria & Ors. ..Petitioners
Vs.
B.M.C. & Ors. ..Respondents

Mr.Mahendra Bajpai i/b. Mr. Manoj Prajapati for Petitioners
Mrs. N.V.Sanglikar for Respondent No.1
Mr. Sanjeev Singh i/b. Mr. Bipin Doshi for respondent Nos.4 & 5.

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 5TH APRIL, 2005.

P.C.

. On 18th March, 2005 we recorded the absence of the Counsel for the Petitioners, both the previous day and on 18th March, 2005. However, considering the case of the Petitioners, we had asked the Counsel for the Corporation to look into the matter.

2. Counsel for the Petitioner appears today and points out that inspite of the order of 17th February, 2003 no steps have been taken by the Respondent Corporation. We asked Counsel for the Respondent Corporation as to whether the documents to be furnished on the basis of the statement made to this Court and recorded in the order dated 17th February, 2003 have been handed to the Corporation. Though some correspondence is set out there is nothing to show that the documents were handed over.

On the contrary the letter of 19th May, 2003 once again refers to the proof submitted by letter dated 5th February, 2003 that is before the order of this Court dated 17th February, 2003.

. If the Petitioners still have with them any documents they have to submit them to the Respondents within four weeks from today. If such documents are produced and further considering the letter dated 5th February, 2003 and the documents furnished along with that letter, the Corporation to take appropriate decision within eight weeks from today and communicate the same to the Petitioners.

. On behalf of Respondent Nos.5 and 6 the learned Counsel contends that they are contesting the claim of the Petitioners and their say should be considered before the Corporation decides the controversy. The say of the Respondent Nos.5 and 6 be considered, before the decision is taken.

. With the above observation Petition stands disposed of. No order as to costs.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)